

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

TAMMY M. BRAWNER and)
GREG BRAWNER,)
Plaintiffs,)
v.)
SCOTT COUNTY, TENNESSEE, LISA) Case No. 3:17-cv-108-JRG-HBG
TERRY, TIFFANY BYRGE, AMY)
NICELY, DEREK PHILLIPS, SHANE) JURY DEMAND
MASON, BRITTNEY BROWN, unknown)
John and Jane Doe jailer officers;)
ADVANCED CORRECTIONAL)
HEALTHCARE, INC. ("ACH");)
EDWARD W. CAPPARELLI, M.D.;)
BRITTANY MASSENGALE, LPN; and)
CAMPBELL COUNTY HMA, LLC d/b/a)
TENNOVA HEALTHCARE- LAFOLETTE)
MEDICAL CENTER,)
Defendants.)

QUALIFIED PROTECTIVE ORDER
PERMITTING *EX PARTE* INTERVIEWS WITH TREATING PROVIDERS

Upon motion of Defendant, Campbell County HMA, LLC, d/b/a Tennova Healthcare – LaFollette Medical Center, pursuant to Tenn. Code Ann. § 29-26-121(f), it is hereby **ORDERED**:

1. The Defendant and/or its attorneys may conduct informal interviews with the following health care providers of Tammy Brawner:

- Donald Gayda, D.O.
 - Guy Clark, M.D.
2. The Defendant may discuss relevant information regarding this litigation, and may conduct interviews with the above-listed health care providers outside the presence of the Plaintiffs or their counsel.
 3. Participation in any such interview by a treating health care provider is voluntary.
 4. This Order expressly limits the dissemination of any protected health information of Tammy Brawner to the litigation pending before this Court, as stated in Tenn. Code Ann. § 29-26-121(f). Any protected health information obtained during the course of any informal interview, including copies of any notes and records, shall be returned to the health care provider or destroyed at the end of the litigation.
 5. Any discussion with a relevant health care provider is limited to the parameters of Tenn. Code Ann. § 29-26-121(f).
 6. Nothing in this Order restricts in any way the right of the Defendant or Defendant's counsel from conducting interviews outside the presence of Plaintiffs or Plaintiffs' counsel with the Defendant's own present or former employees, partners, or owners concerning this health care liability action.

ENTERED this 10 day of January, 2018, 2017.

Bruce Gifton,

Judge Ronnie Greer

U.S. Magistrate Judge

APPROVED FOR ENTRY:

GIDEON, COOPER & ESSARY, PLC

By: /s/ Jordan K. Gibson
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CERTIFICATE OF SERVICE

I certify that on December 13, 2017, a true and correct copy of this document was electronically filed with the Court's CM/ECF system, with service to the following:

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